

REMARKS

Claims 8-11 and 30-56 remain pending. In the present Office Action, claims 8-11 and 30-56 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cohen et al., U.S. Patent No. 6,477,595 ("Cohen") in view of various other references. Applicants respectfully traverse these rejections and request reconsideration.

All of the claim rejections in the present Office Action rely, at least in part, on Cohen. However, **Cohen is not prior art**. Even if Cohen's provisional priority claim is valid (which has not been proven in the present Office Action), Cohen would not qualify as prior art. The provisional priority date of Cohen is October 25, 1999. The present application is a continuation of an application filed on May 19, 1999. Accordingly, the effective filing date of the present application is prior to Cohen's earliest priority date.

For at least these reasons, all of the rejections in the present Office Action are moot.

CONCLUSION

Applicants submit that the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees, or credit any over payment, to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5957-48401/LJM.

Respectfully submitted,

/Lawrence J. Merkel/

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